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WASHINGTON POST
27 February 1987

ROBERT M. GATES
... acting CIA director and nominee

Probe Leaders In Senate Urge Delay on Gates

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The chairman and vice chairman of the Senate select committee investigating the Iran-contra affair said yesterday that confirmation of Robert M. Gates as director of the Central Intelligence Agency should be delayed until completion of the congressional inquiries, which could run at least through August.

Chairman Daniel K. Inouye (D-Hawaii) said that Gates, the agency's deputy director, is serving as acting director following the resignation of William J. Casey and thus "it is not like a judicial appointment where there is a vacancy that has not been filled."

Vice Chairman Warren B. Rudman (R-N.H.) agreed that the nomination should be delayed, but emphasized that so far he does not "see anything that would disqualify [Gates] from being head of the CIA."

Both senators said the Tower commission report could shed more light on Gates' role when it is released later this week. Because Gates was so close to Casey, he still

will have to explain his involvement in the affair before the House and Senate investigating committees, the senators added.

Gates was also critically discussed yesterday during a closed-door Democratic caucus.

Senate Majority Leader Robert C. Byrd (D-W.Va.), who said in an interview yesterday that he did not "know what the bottom line is on Gates," raised the question of Gates' nomination in the caucus, according to several of his colleagues. According to one senator, Byrd said he regretted President Reagan's nomination of Gates and that voting for the nominee soon "might come back to haunt you."

After the caucus, Byrd said, "The administration disserved itself by sending up the No. 2 man" who was "so close to the situation he is tainted by it." Byrd added, "I hesitate to vote for a nominee before all the facts are in Maybe down the road we will find he was involved, and if I had known I would have voted differently."

Sen. Bill Bradley (D-N.J.), who critically questioned Gates during two days of public testimony last week before the Senate Select Committee on Intelligence, also voiced concern during the caucus about the nominee, as did Sen. Paul S. Sarbanes (D-Md.), a member of Inouye's select committee, sources said.

Although the caucus did not make any decision on Gates, the mood of those present was to delay action on his nomination for some time. The chairman of the intelligence committee, Sen. David L. Boren (D-Okla.), was not present at the caucus.

"It is not yet time to say Gates' nomination is in great difficulty," one Senate source said yesterday, "but there is a great amount of unease about it."

Gates, 43, is a 20-year CIA veteran and only the third agency professional ever nominated to be director. The other two, Richard Helms and William E. Colby, were experienced in the covert operations side of the agency while Gates has always worked on the analytical side.

As part of the confirmation process, Gates has been asked to appear again before the Senate intelligence panel for questioning in a closed hearing scheduled for March 5, according to Senate sources. Several members said yesterday they expected there could be additional public hearings, depending on the Tower commission report.

Questions were raised during the public hearings about Gates' role in both the Iran arms operation and in attempting to find out about the diversion of funds from that project to aid the Nicaraguan contras.

Gates countered that he should be judged on how he has acted since he took over as acting director following Casey's surgery for a cancerous brain tumor.